

Entered - 02/18/03 - sb
CL03L0129 - DIANNE C. MITCHELL

CLAIM OF: **SHELBY MCNEASE**,
through her attorney,
Michael Rosenbloum
Suite 2275
230 Peachtree Street, NW
Atlanta, Georgia 30303

03-R -0988


For damages alleged to have been sustained as a result of a vehicular accident on January 8, 2003 at Old Hapeville Road, SW and Cleveland Avenue, SW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **SHELBY MCNEASE, through her attorney, Michael Rosenbloum** the sum of **\$6,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on January 8, 2003 at Old Hapeville Road, SW and Cleveland Avenue, SW as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

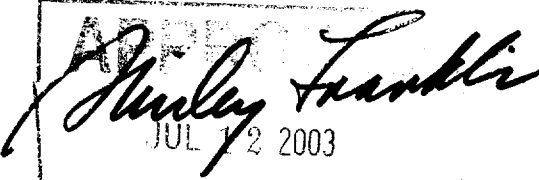
APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

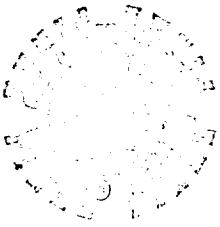
ADOPTED BY
JUL 07 2003
COUNCIL

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: Public Safety
DATE: 7/1/03
CHAIR: [Signature]
C. T. M. ut
Nancy Dorwood
[Signature]


JUL 12 2003
MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

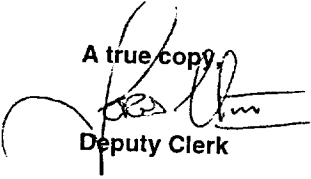
03-R-0988

A RESOLUTION

**BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment **Shelby McNease, through his/ her attorney Michael Rosenbloum** to in the sum of **\$6,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a vehicular accident on **January 8, 2003 at Old Hapeville Road, SW and Cleveland Avenue, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account **1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.**

A true copy


Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

**JULY 07, 2003
JULY 12, 2003**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0129

Date: June 9, 2003

Claimant /Victim SHELBY MCNEESE
BY: (Atty) Michael Rosenbloum
Address: Suite 2275, 230 Peachtree Street, NW, Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ 18,073.00 Bodily Injury \$
Date of Notice: 02/07/03 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 01/08/03 Place: Old Hapeville Road, SW and Cleveland Avenue, SW
Department Watershed Management Bureau: Sewer Operations
Employee involved Richard Hedges Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way to the vehicle in which the claimant was a passenger causing her to be injured.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures X Diagrams Reports: Police X Dept Report X Other
Traffic citations issued: City Driver X Claimant Driver X
Citation disposition: City Driver Claimant Driver

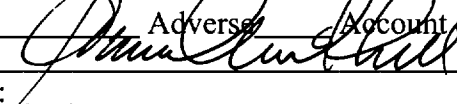
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 6,000.00 Adverse Account charged: 1A01 X 2J01 2H01 2P01
Claims Manager:  Concur/date 06-16-03
Committee Action: Council Action

RCS# 4853
7/07/03
4:05 PM

Atlanta City Council

Regular Session

CONS AGEN I Pgs 1 - 14 except:0715,0976
0852, 0950, 0946, 0963, 0926, 0975
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

		7/07/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-0850 2. 03-O-0949 3. 03-O-0955 4. 03-O-0909 5. 03-O-0961 6. 03-O-0553 7. 03-O-0925 8. 03-R-0981 9. 03-R-0956 10. 03-R-0965 11. 03-R-1033 12. 03-R-0920 13. 03-R-0945 14. 03-R-0966 15. 03-R-0967 16. 03-R-0968 17. 03-R-0969 18. 03-R-0977 19. 03-R-0978 20. 03-R-0979 21. 03-R-0889 22. 03-R-0940 23. 03-R-0941 24. 03-R-0942 25. 03-R-0943 26. 03-R-0944 27. 03-R-0962 28. 03-R-0983 29. 03-R-0984 30. 03-R-0985 31. 03-R-0986 32. 03-R-0987 33. 03-R-0988 34. 03-R-0989 35. 03-R-0991 36. 03-R-0992 37. 03-R-0994	38. 03-R-0989 39. 03-R-0991 40. 03-R-0992 41. 03-R-0994 42. 03-R-0995 43. 03-R-0996 44. 03-R-0997 45. 03-R-0998 46. 03-R-0999 47. 03-R-1000 48. 03-R-1001	49. 03-R-1002 50. 03-R-1004 51. 03-R-1005 52. 03-R-1006 53. 03-R-1007 54. 03-R-1008 55. 03-R-1009 56. 03-R-1010 57. 03-R-1011 58. 03-R-1012 59. 03-R-1013 60. 03-R-1014 61. 03-R-1015 62. 03-R-1016 63. 03-R-1017 64. 03-R-1018 65. 03-R-1019 66. 03-R-1020 67. 03-R-1021 68. 03-R-1022 69. 03-R-1023 70. 03-R-1024 71. 03-R-1025 72. 03-R-1026 73. 03-R-1027 74. 03-R-1028

Consent I Vote: 15 Yeas; 0Nays: (See RCS #4853)

Items Removed from the Consent Agenda: 03-O-0852; 03-O-0926; 03-O-0950; 03-R-0715; 03-R-0946; 03-R-963; 03-R-0975; 03-R-0976